

REMARKS

In this reply, Claim 26 is amended. Claims 1-5, 7-11, 14-37, and 39-49 are pending.

CLAIM REJECTIONS—35 U.S.C. § 102

Claims 1-5, 7-11, 14-37, and 39-49 were rejected under 35 U.S.C. § 102(e) as being anticipated, allegedly, by U.S. Patent No. 6,598,057 (“Synnestvedt”). The rejections are traversed.

Among other features, Claim 1 recites, “a server configured to (a) register each of the plurality of components, (b) perform dynamic probing operations to **identify configuration changes made to the configuration of each of the plurality of components**, and (c) validate identified configuration changes against the configuration policy to determine whether the configuration changes conform to the configuration policy.”

The Office Action alleges that Synnestvedt discloses a server that identifies changes made to components’ configurations in col. 3, lines 40-53. However, the cited portion says **nothing** about identifying changes to components’ configurations. Synnestvedt discloses that a cable modem (alleged “component”) may send a request for configuration to a TFTP server, which generates a DOCSIS binary configuration file and sends that file back to the cable modem (col. 4, lines 5-8). However, although the TFTP server **generates** a configuration file for the cable modem, the TFTP server does not ever **identify configuration changes made** to such a configuration file. The TFTP server doesn’t change an existing configuration file. The TFTP server doesn’t receive a changed configuration file from the cable modem. The configuration file doesn’t even exist until the TFTP server generates it.

All that the TFTP server receives from the cable modem is an “identification encoded filename,” which identifies the cable modem (col. 4, lines 56-61). Synnestvedt doesn’t disclose, teach, or suggest that this “filename” is a configuration, or that any changes are made to the filename, or that changes hypothetically made to the filename are identified.

Clearly, Synnestvedt doesn’t disclose, teach, or suggest “a server configured to (a) register each of the plurality of components, (b) perform dynamic probing operations to **identify configuration changes made to the configuration of each of the plurality of components**, and (c) validate identified configuration changes against the configuration policy to determine whether the configuration changes conform to the configuration policy.” Synnestvedt’s TFTP server **isn’t** such a server. Therefore, Claim 1 is patentable over Synnestvedt under 35 U.S.C. § 102(e).

Similar to the feature of Claim 1 discussed above, Claim 7 recites, among other features, “performing dynamic probing operations to **identify configuration changes made to a configuration of each of the plurality of components**.” As is discussed above with regard to Claim 1, Synnestvedt doesn’t disclose, teach, or suggest identifying changes in components’ configurations. Synnestvedt doesn’t disclose “performing dynamic probing operations to **identify configuration changes made to a configuration of each of the plurality of components**” as recited in Claim 7. Therefore, Claim 7 is patentable over Synnestvedt under 35 U.S.C. § 102(e).

Among other features, Claim 14 recites a management console that comprises “at least one service interface for **retrieving the configuration of a particular component**, of the plurality of components, **by communicating with the client module associated with the particular component**.” Not only is the recited “client module” from which the service

interface retrieves the particular component's configuration "associated with" the particular component, but the "client module" also is a **part** of the particular component—Claim 14 additionally recites, "wherein **each component**, of the plurality of components, **comprises a client module**." Therefore, Claim 14 requires a service interface that retrieves a component's configuration from a client module that is a part of that component. The service interface must retrieve the component's configuration from the component itself.

The Office Action appears to analogize the "service interface" of Claim 14 to the LDAP server disclosed in Synnestvedt's col. 6, lines 40-62. However, although the LDAP server may query an LDAP directory, Synnestvedt does **not** disclose, teach, or suggest that this LDAP directory is contained within or otherwise a part of the cable modem (alleged "component") for which the TFTP server generates a configuration file. As is discussed above, Synnestvedt's cable modem requests a configuration from a TFTP server, which generates and returns the configuration file to the cable modem. Neither the TFTP server nor the LDAP server ever **retrieves** a configuration **from** the cable modem or any "module" thereof. The configuration file is not present on the cable modem until the TFTP server sends it to the cable modem, and Synnestvedt doesn't disclose, teach, or suggest that either the TFTP server or the LDAP server retrieves that configuration file from the cable modem thereafter.

Clearly, Synnestvedt doesn't disclose, teach, or suggest a management console that comprises "at least one service interface for **retrieving the configuration of a particular component**, of the plurality of components, **by communicating with the client module associated with the particular component**," where the particular component "**comprises**" the client module, as recited in Claim 14. Therefore, Claim 14 is patentable over Synnestvedt under 35 U.S.C. § 102(e).

The Office Action alleges that Claim 26 contains identical limitations to Claim 14. Assuming, *arguendo*, that this is so, Claim 26 is patentable over Synnestvedt under 35 U.S.C. § 102(e) for at least the same reasons discussed above with reference to Claim 14. Even if Claim 26 is not considered to be identical to Claim 14 (and the Applicant contends that it is not), Claim 26 recites, among other features, “**retrieving the configuration** of each of a plurality of components by communicating with a **client module residing at each component** of the plurality of components.” The discussion above clearly establishes that Synnestvedt doesn’t disclose, teach, or suggest this feature.

Claims 1-5, 7-11, 14-37, and 39-49 also were rejected under 35 U.S.C. § 102(e) as being anticipated, allegedly, by U.S. Patent No. 6,892,231 (“Jager”). The rejections are traversed.

As is discussed above, Claim 14 recites a management console that comprises “at least one service interface for **retrieving the configuration of a particular component**, of the plurality of components, **by communicating with the client module associated with the particular component**.”

The Office Action alleges that Jager discloses a service interface that retrieves such a component’s configuration in col. 5, lines 22-34. The Office Action apparently analogizes the “service interface” of Claim 14 to the “web browser” recited in this portion of Jager. However, Jager does **not** disclose, teach, or suggest that the web browser ever retrieves a component’s configuration.

Although Jager discloses that the blocks of a global configuration file may be flattened in order to determine the file’s validity, Jager does **not** disclose, teach, or suggest that such a configuration file is **retrieved** from a component whose configuration the configuration file sets forth. Jager certainly does not disclose, teach, or suggest that the “web browser” retrieves a

component's configuration from that component. The portion of Jager cited to disclose, allegedly, the "service interface" merely mentions what is commonly known about a web browser—that a web browser transmits a request for a web page to a web server. Jager **doesn't** disclose, teach, or suggest that the requested web page is the global configuration file that the Office Action apparently analogizes to the "configuration" of Claim 14.

Clearly, Jager doesn't disclose, teach, or suggest a management console that comprises "at least one service interface for **retrieving the configuration of a particular component**, of the plurality of components, **by communicating with the client module associated with the particular component**," where the particular component "**comprises**" the client module, as recited in Claim 14. Therefore, Claim 14 is patentable over Jager under 35 U.S.C. § 102(e).

The Office Action alleges that Claims 1, 7, and 26 contains identical limitations to Claim 14. Assuming, *arguendo*, that this is so, Claims 1, 7, and 26 are patentable over Jager under 35 U.S.C. § 102(e) for at least the same reasons discussed above with reference to Claim 14. Even if Claims 1, 7, and 26 are not considered to be identical to Claim 14 (and the Applicant contends that they are not), the Office Action provides no other rationale for rejecting Claims 1, 7, and 26 in view of Jager.

The remaining claims are dependent upon independent claims discussed above. These independent claims have been distinguished from the art cited against them. The remaining claims that depend from these independent claims inherit the distinguished features of these independent claims by virtue of their dependence. Consequently, all of the remaining claims not expressly discussed above are also patentable over both Synnestvedt and Jager under 35 U.S.C. § 102(e).

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

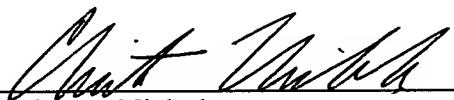
The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. Please charge any fee shortages or credit any overages to our Deposit Account No. 50-1302.

Respectfully submitted,

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on November 22, 2006 by


Darci Sakamoto